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MOOT COURT TACKLES TOUGH AND TIMELY ISSUES

It was the final round of the Desmond Intrascchool Competition and suspense was mounting in the Moot Court Room in John Lord O'Brian Hall. Small mistakes loomed large; small victories were savored. Minutes sped by like seconds, then seconds dragged on like minutes. Each moment was alive with tension and possibilities November 9 as the last two student teams competed for top honors.

With remarkable intensity and professional skill, Margot Bennet and Nancy DeCarlo presented oral arguments that helped their team place first. Terry Richman and Mary Ann Bobinski placed second. All had survived five long weeks of preparation which included extensive legal research, writing a formal appellate brief, and numerous rounds of practice oral arguments.

Next came the grueling final week of the competition: three rounds of preliminary oral arguments, the quarter-finals, the semi-finals, and now the finals. Fifty-nine teams had been eliminated along the way.

Polished presentations by both teams before a panel of five tough jurists made it an exciting match to watch for about 175 student and faculty spectators.

Hon. Charles S. Desmond '20, former Chief Judge of the New York State Court of Appeals, after whom the competition is named, acted as Chief Justice. When the closing session ended, he declined to announce the final scores of the contestants, making it a point commend both teams.

"This is one of the best Moot Court finals we have ever had. These arguments were not only equal to but often superior to those you hear in real life courtrooms. Winners were difficult to arrive at because of the excellence of the arguments. There is no element of defeat in losing in a moot court like this," Judge Desmond said.

Joining Justice Desmond on the bench were Associate Justice Matthew Jasen '39 of the New York Court of Appeals; two members of the Fourth Department Appellate Division of the State Supreme Court,

Chief Judge Michael Dillon '51 and Associate Justice M. Dolores Denman '65; and Acting Dean John Henry Schlegel.

"You'll hold your own with the best of them," said Justice Denman to the four finalists.

"I graduated from UB Law School 34 years ago and the reason I can hold my head high today is because of the quality of this school, and in particular this Moot Court," Justice Dillion told the students.

The day also had its lighter moments. One came when Justice Desmond observed that all the finalists were female. "This is lady's day in Supreme Court," he quipped. The audience responded with cheers.

Throughout three days of oral arguments, more than 300 local judges and attorneys, the majority of whom were UB alumni, heard teams compete in the elimination tournament which began the evening of Nov. 4.

Over 120 second and third year students had spent the previous month drafting 20-page briefs representing the claims of the plaintiff or defendant for this year's problem, involving two key issues: the first amendment rights of news reporters and the constitutionality of anti-homosexual sodomy statutes in the fictitious State of Huxley.

The case concerned a reporter for a daily newspaper who revealed that there were a large number of homosexuals on the local police force. Called before a police investigatory commission, the journalist claimed the right to protect his sources and refused to name either his informant or the



Student presents final argument in Moot Court.

homosexual officers mentioned in his stories. The reporter then sought standing to overturn the sodomy statutes as a violation of equal protection.

The questions presented were: Is the reporter's source of information privileged by the First Amendment? Does the reporter have standing to challenge the constitutionality of the sodomy statute? Is the sodomy statute constitutional?

The problem, which was given to participants September 27, was drafted by a committee of the student-run Moot Court Board chaired by William Daly. Other members of the executive committee were Gary Winter, Rita Gyls and Howard Berman. Professor Thomas E. Headrick was faculty advisor.

Awards were presented in the evening of Nov. 9 at a banquet held in the Holiday Inn on Niagara Falls Boulevard, sponsored by the UB Law Alumni Association.

Other winners were:

Semi-finalists—G. Stephen Pigeon and Dave Platt; Ken Marveld and Roseann Eimer.

Quarter-finalists—Jay Lippman and Randy Fahs; Cindy Fenichel and Andrew Winston; Paul Karp and Jay Kenigsberg; Robert Schnizler and Peter Abdella.

Best Briefs—First, Gail Breen and Brian Ton; Second, Terry Richman and Mary Ann Bobinski; Third, Robert Schnizler and Peter Abdella; Fourth (tie) Jack Luzier and Jennifer Sanders, Cindy Fenichel and Andrew Winston.

Best Oralists—First, Elyse Lazansky; Second, Julie Bargnesi; Third, Andrew Winston; Fourth, John Ferlicca; Fifth, Peter Abdella.



Winner Nancy DeCarlo gets a hug.



Margot Bennet and Nancy DeCarlo make their winning case.

POLITICS OF HUNGER DEBATED AT SYMPOSIUM

"It's outrageous that hundreds of thousands of children continue to die each day from starvation," declares Gayle L. Eagan '85, chair of the national symposium on world hunger that was held at the UB Law School October 19 and sponsored in part by the Law Alumni Association.

"We feel it is essential to raise the public's awareness of this human catastrophe and call attention to the need for governments to make the eradication of hunger a major goal, as they set policies on how to allocate resources within their countries," Eagan explained.

The law school-organized conference, entitled "World Hunger and the Law," was a daylong event which attracted participants from across the U.S., including outstanding legal scholars and practitioners, physicians, nutritionists, lobbyists, theologians, a Congressman and experts in various other fields. They gathered at the Student Activities Center on the Amherst campus to seek long term solutions to the scourge of world

and domestic hunger.

The event opened with a debate on the question of whether the right to food is a basic, human right. Before an audience of approximately 60, the experts expressed opinions crossing all political strata.

Philip Alston, author of "The Right to Food" and visiting professor at Tufts University, said the late President Franklin D. Roosevelt advocated recognition of the right to food while the present Reagan administration "emphasizes only the right to freedom and property." Food should not be a matter of charity, Alston contended.

An assistant administrator for the U.S. Agency for International Development, Julie Change Bloch pointed out the lack of an international consensus on how to deal with hunger problems. She said the U.S. contributes 63 percent of the aid that goes to fight hunger. Other western countries contribute 37 percent and little aid comes from socialist nations. According to Bloch, hunger is a technical and economic